

RUMSON ZONING BOARD OF ADJUSTMENT
JULY 21, 2015
MINUTES

Chairman Brodsky called the regular meeting to order at 7:30 p.m. with the Pledge of Allegiance. The Roll was called with the following members present: Brodsky, Torcivia, Duddy, Blum, Seaman, Cottrell. Also present: Bernard Reilly (Board Attorney), Fred Andre, Zoning Officer), State Shorthand.

The requirements of the Open Public Meetings Act were stated as met.

Jeffrey Guarino, 22 Center St (Continued Application)

John Dolan, builder, appeared on behalf of the applicants. They have submitted a revised tree mitigation proposal, as required. They are taking out 6 trees and replacing them with four new trees.

There were no questions or comments from the public.

Mr. Reilly has prepared a resolution of approval, with the change that six trees will be removed. Mr. Cottrell moved to approve the application and adopt the resolution, and Mr. Duddy seconded.

Roll Call Vote: Ayes – Brodsky, Blum, Cottrell, Torcivia, Duddy, Seaman

Nays – None

Motion carried.

Scott & Lauren Zoeller, 2 A Lakeside Ave (Continued Application)

Mr. Reilly has prepared a resolution of approval to include the condition for the revised depth of the porch (6') and the plan for the walkway to the back deck. Mr. Cottrell moved to adopt the resolution, and Mrs. Seaman seconded.

Roll Call Vote: Ayes – Brodsky, Blum, Cottrell, Torcivia, Duddy, Seaman

Nays – None

Motion carried.

Steven & Erin Kirchner, 4 Lakeside Ave

Mr. Kirchner was sworn in and explained their proposal to add a 12' x 12' deck off the rear of their house. They currently have steps off the back, but no deck. The new deck will extend from an existing bump out in the rear of the house – approximately 5' deeper than the existing steps (rear setback 24' existing / 18' proposed). The new lot coverage will be under that allowed by the ordinance. The only nonconformity is for the rear setback of the deck. Behind the house is the pond. The deck will be level with the first floor. Mr. Kirchner feels the proposed size of the deck is necessary to accommodate outdoor furniture, grill, etc.

There were no questions or comments from the public.

Mrs. Seaman does not think the size is unreasonable, and Mr. Duddy agreed. Mr. Duddy moved to approve the application, and Mr. Cottrell seconded.

Roll Call Vote: Ayes – Brodsky, Blum, Cottrell, Torcivia, Duddy, Seaman

Nays – None

Motion carried.

Thomas & Tara Harmon, 87 South Ward Ave.

Thomas Harmon was sworn in. Mr. Reilly noted that they will need a floor area variance, which will require five affirmative votes for approval.

Mr. Harmon reported that their house was damaged during Sandy. They would like to stay in the area, and they are proposing to elevate the house to meet FEMA requirements, eliminating the detached garage in the rear and moving it under the house with their new plan. They are looking to square off the back of the house, adding 50 sq. ft. to the floor area, which requires a variance. He showed the Board elevations of the proposed new construction, which will provide less lot coverage, due to the removal of the detached garage and driveway.

Kathy Zuckerman, architect, was sworn in, and the Board accepted her qualifications. She explained that they are building the house to elevation 16' (from 10'). Many of the homes in this area are putting the garages under the house and elevating the homes, due to the flood issues in the area. The new deck in the rear is proposed at first floor level. It will not go out any farther than the existing deck, which is at ground level. She noted that the deck will also serve to screen the house and foundation. The deck will be 12' x 29' in size – still under the allowable coverage for the lot.

Mr. Duddy noted that the setback will now be 39' where 43' are required. They are reducing the lot coverage by 700 sq. ft. by removing the garage and existing driveway.

There were no questions or comments from the public.

Chairman Brodsky noted the hardship, since they need to raise the property to the flood requirements. He asked about the neighbors' back and side yards. Mr. Harmon pointed out fences, shrubs, and trees next to his property.

Mr. Cottrell commented that he understands what they are trying to accomplish, and he thinks they have done this in a simple, easy-to-understand way. He thinks the tradeoff is fine, and they are not asking for anything egregious. He would be in favor of the application, which he thinks is done well.

Mrs. Seaman agrees and thinks the property will remain attractive with this plan. She does not think they are asking for a lot.

Mr. Blum does not have a problem with the application, which is consistent with others on the street.

Mr. Duddy noted that this application is not asking for too much, and he thinks their plan is functional. He would also be in favor of the application.

Mrs. Seaman moved to approve the application, and Mr. Cottrell seconded.

Roll Call Vote: Ayes – Brodsky, Blum, Cottrell, Torcivia, Duddy, Seaman

Nays – None

Motion carried.

Rumson Country Day School, 35 Bellevue Ave

Michael Bruno, attorney, appeared on behalf of the applicants. They are seeking a change in the afternoon pick up procedures. Ms. Heard, T&M Assoc., was sworn in at this time. She noted they are amending one part of the prior approved application, and she would have no objection to waiving the outstanding completeness items. Mrs. Seaman moved to grant the completeness waivers, and Mr. Cottrell seconded.

Roll Call Vote: Ayes – Brodsky, Blum, Cottrell, Torcivia, Duddy, Seaman

Nays – None

Motion carried.

Mr. Bruno explained their request to change a condition as part of the campus improvements. They had a routine for their afternoon pick up, but the new head master was not comfortable with that plan. They have changed the pickup plan over the last year, which they have found to work better for them. They are looking to change the Ridge Road parking lot to achieve the better flow for pickup at the school.

Michael Mannino, Director of Finance for the school, was sworn in. He reviewed that they hired a new head master last year. The pick up at the school was thought to be chaotic, risking injuries in the front of the school. The new head master wanted to change this process, and last month he began a process of looking at how to change it. They made a decision to separate the pickup of single siblings from families with more than one student. They have 168 cars that pickup in the back. They have more than enough space in the rear to accommodate these cars with their new plan, which also decreases the pickup time. This new plan requires some changes to the property, which will be explained by their engineer. Mr. Mannino also explained that the bus pickup will continue in the front of the school.

James Kennedy, project engineer, was sworn in, and the Board accepted his qualifications. He presented the Board a drawing (A-1). He explained that they will be changing the circuit on the site. They will be restriping the parking lot to achieve this. He explained how the current circuit works, and indicated the proposed new circuit through the parking lot. The change they are proposing is diminimus and will not change the impervious surfaces. They need a design waiver for the width of the driveway (existing). Widening the driveway to meet the required width under the ordinance would not be good for the property, in his opinion, nor would curbing the lot in this area. There is a sizeable tree that they also do not want to impact by widening of the area. There will be no change in the storm water runoff with this application. They also propose a timber guide rail next to the 9' driveway from the nursery school to the parking lot at the main school. The school has contacted an arborist to look at the tree (Tulip tree) to make sure it does not get damaged by the driveway. They do not think it will be disturbed with their plan. Mr. Bruno acknowledged that the tree is very important to the school, and they feel comfortable, after consulting with the arborist, that the tree will not be damaged.

Mrs. Seaman thinks the new plan is good, although she would like to see some of the traffic be taken off Bellevue.

Mr. Blum questioned the widening of the driveway and if the sight distances from the driveway meet appropriate standards.

John Rea, traffic expert, was sworn in, and the Board accepted his qualifications. He explained that the school asked him to visit the site to review the pickup procedures in the afternoon. He observed the traffic flow, which worked well on the two occasions he visited. He explained how it serves to allow them to maximize the stacking and get the parents off of Ridge Road. He has seen it work well, and the school has staff helping to direct parents in the right direction. The plan makes a lot of sense to get the 160 cars off Ridge Road and on to the property to pick up the kids and exit back on to Ridge Road. He noted that the Nursery school gets out before the main school, which helps with the pickup flow and circulation.

Mr. Rea pointed out an area on the driveway where a crest in Ridge Road affects the sight distance from this driveway. They will measure the sight distance to make sure it is adequate, and they will also need to get approval from the county, since it is a county road. He noted that the speed limit during school hours is 25 mph. They would need to certify that the driveway has adequate sight distance, based on state standards. They would then make the change to the circulation system. If they can confirm the adequate sight distance, they would need to change the pattern.

Mr. Reilly advised that the Board could approve the application, subject to the operational aspect of the sight distance as noted. Mrs. Seaman moved to approve the application, subject to the determination by the county as to the safety of the sight distance of the west driveway and the approval by the borough engineer. Mr. Cottrell seconded.

Roll Call Vote: Ayes – Brodsky, Blum, Cottrell, Torcivia, Duddy, Seaman

Nays – None

Motion carried.

Resolutions

1. **Michael & Shanley Walker, 52 Navesink Ave.** – Revised plans have been submitted, as per the requirements from the last meeting:
 - a. Revised location and use of the garage (second floor unfinished)
 - b. Pool deck
 - c. Borough Forester's recommendations
 - d. Cabana, which will remain unheated.

Mr. Reilly has prepared an approval resolution. Mr. Cottrell moved to adopt the resolution, to include the conditions noted, and Mrs. Seaman seconded.

Roll Call Vote: Ayes (Eligible) – Brodsky, Cottrell, Seaman, Duddy

Nays – None

Motion carried.

2. **Ryan & Courtney Zanetich, 28 Navesink Ave.** – Approval to construct a detached garage in rear of property;
3. **Clockworks Development Group, LLC, 4 Pond Road** – Approval to build a new house on the property.

Mr. Cottrell moved to adopt these resolutions, And Mrs. Seaman seconded.

Roll Call Vote: Ayes (Eligible) – Brodsky, Cottrell, Seaman, Duddy, Blum

Nays – None

Motion carried.

Approval of Minutes

Mrs. Seaman moved to approve the minutes of the June meeting, with corrections, and Mr. Cottrell seconded. Voice Vote: Ayes, unanimous.

There being no further business, motion was made and seconded to adjourn. Voice Vote: Ayes, unanimous. The meeting was adjourned at 9:10 p.m.

The next meeting will be **August 18, 2015.**

Respectfully submitted,

Patricia Murphy
Clerk